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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,792	07/26/2000	Hartmut Boche	02581-P0316A	8313
24126	7590	08/02/2005	EXAMINER	
ST. ONGE STEWARD JOHNSTON & REENS, LLC			MATHEW, FENN C	
986 BEDFORD STREET			ART UNIT	
STAMFORD, CT 06905-5619			PAPER NUMBER	

3764

DATE MAILED: 08/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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St. Onge Steward Johnston & Reens, LLC  
986 Bedford Street  
Stamford, CT 06905-5619

In re Application of	:	DECISION ON PETITION
Hartmut Boche	:	TO WITHDRAW
Serial No. : 09/625,792	:	HOLDING OF
Filed : July 26, 2000	:	ABANDONMENT
For : Medical Instrument with a Non-Contact Readable	:	
Data Carrier	:	

This is a decision on petitioner's request filed May 12, 2005 to review the holding of abandonment mailed March 8, 2005, for failure to respond to the Office action mailed June 6, 2004. The basis for the request is that applicant did not receive the communication mailed June 6, 2004. There is no fee required for this petition.

In order to overcome the presumption of delivery of an Office action, a practitioner must submit the following: (1) a statement from the practitioner stating that the Office action was not received by practitioner; (2) a statement attesting to the fact that a search of the file jacket and docket record indicates that the Office action was not received; and (3) a copy of the docket record where the non-received Office action would have been entered had it been received and docketed. See 1156 OG 53.

The request filed May 12, 2005 includes all the above elements. The request is therefore GRANTED and the holding of abandonment withdrawn. Upon the mailing of this decision, the application will be forwarded to the Legal Instruments Examiner for the re-mailing of the Office action of June 9, 2004, which action will set forth a new period for response.

Summary: Holding of Abandonment Withdrawn.

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ak/05/24/05